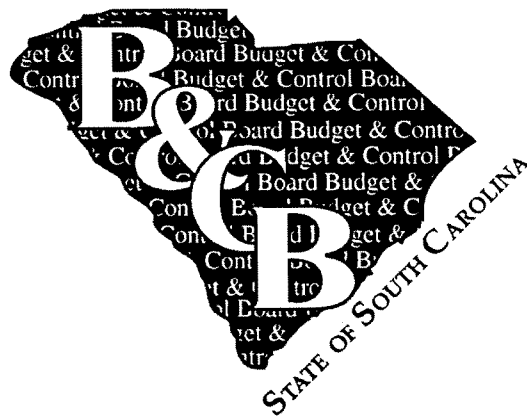


**May 8, 2003**

# State Government News Summary



**Prepared by the Budget and Control Board  
Office of the Executive Director**



Posted on Thu, May. 08, 2003

## Sanford outlines legislative priorities

As the General Assembly enters its final weeks of this year's term, Gov. Mark Sanford called on lawmakers to focus on his proposals to reform education funding, restructure state government and cut income taxes while increasing the state's cigarette tax.

Since taking office in January, Sanford has pushed income tax relief as key to renewed economic prosperity in the state.

Sanford said his proposal to cut income taxes, coupled with a 53-cent-a-pack increase on cigarettes, would put more money into the pockets of small-business owners and individual income earners. It also would attract more business and industry to South Carolina, thereby growing the economy, he said.

The extra revenue from cigarette taxes also benefits underfunded Medicaid programs and provides millions of dollars in federal matching funds, Sanford said.

If Medicaid is not funded, underprivileged people will turn to more expensive care at emergency rooms -- which comes out of the pockets of taxpayers.

The proposal, which was introduced March 13, had been part of the state's \$5.2 billion budget approved by the Senate Finance Committee. But Tuesday, it was ruled out of order during Senate budget debate and was sent to a Senate Medical Affairs subcommittee.

Sanford also wants reform in how education is funded. A bill called Streamlined Management and Accountable Resources for Teaching, or SMART Funding, would give school districts flexibility to spend funds as they see fit.

The bill, introduced March 26 and currently in a House committee, would consolidate dozens of spending sources into six categories.

Sanford also called on lawmakers to work on his proposal to restructure state government.

Under the South Carolina Government Restructuring Act that was introduced April 16, the governor would appoint some statewide officers who are now elected and the governor and lieutenant governor would run on the same ticket.

The final day of the Legislature is June 5. Any legislation not completed by then can be revived next year, as the General Assembly is in the first year of a two-year session.

### School Size Limits Compromise Explored

Legislation suggesting enrollment guidelines for new schools and encouraging the conversion of existing buildings into schools received an endorsement Wednesday from a House subcommittee.

A week after rejecting Gov. Mark Sanford's call for limiting the size of student bodies in all public schools, a subcommittee that screens education bills backed less proscriptive language for future construction.

Lawmakers would have to take extraordinary steps for the measure to move to the top of their agenda before the legislative session ends June 5.

Nevertheless, the House K-12 panel voted unanimously for a bill that advises school districts to design buildings with capacities of "approximately" 700 students at the elementary level, 900 students at the middle school level and 1,200 students at the high school level.

Sanford suggested legislators set enrollment caps of 500 students for elementary schools, 700 students for middle schools and 900 students for high schools.

Given the state's budget crisis, Rep. Bob Walker, R-Spartanburg, characterized the version he and four House colleagues backed as a "workable compromise" between educators, legislators and the governor.

Chip Campsen, a gubernatorial aide who monitored the subcommittee meeting, said, "we would have rather had the lower numbers."

Campsen noted two other provisions are viewed by Sanford as reform-minded. The bill says minimum acreage requirements no longer are necessary. It also gives the state Education Department authority to grant waivers of some school building rules that would encourage use of vacant structures.

Campsen described Sanford's interest in smaller schools as a way of stemming "suburban sprawl. He believes there should be smaller schools. There's an emphasis on education and a quality of life component to this."

As an incentive to convert vacant buildings into schools, the bill would allow local jurisdictions to collect fees in lieu of taxes as an incentive to keep privately owned property on tax rolls.

The proposed law also says school districts can own vacant land for no more than six years before they must use it or sell the property at public auction.



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## Sanford cautions Senate on sales tax increase

Posted Wednesday, May 7, 2003 - 7:20 pm

By Tim Smith and James T. Hammond  
CAPITAL BUREAU  
COLUMBIA - Senate interest in a 2-cent sales tax increase drew a warning Wednesday from Gov. Mark Sanford, who said he would oppose any proposal that poses a burden to small business.

 [e-mail this story](#)

Republicans and Democrats in the Senate have toyed with competing plans to increase the sales tax but disagree on how to spend the money.

Sen. David Thomas, a Greenville Republican who authored one of the plans, has proposed using the new revenue to eliminate property taxes on owner-occupied homes and on personal vehicles, with \$200 million more earmarked for education.

Sanford said Wednesday he told Thomas that such a plan could shift more of the tax burden to commercial property, adding to the financial woes of businesses already struggling through a sour economy.

"I would not want to see something that shifted the tax burden to business," he said. "I think it would hurt our ability to grow jobs and the economy and build wealth, all of which are vital to creating a greater revenue stream that goes to pay for education, infrastructure, etc."

Sanford has proposed a plan that would couple a hike in cigarette taxes with a decrease over 15 years in the state's income tax. The House has rejected the cigarette tax increase and senators have cooled recently to the proposal.

The governor gathered reporters to his office Wednesday to repeat his legislative priorities, which include his tax plan, education initiatives and a state government restructuring proposal that would change some constitutional officers to appointed jobs.

Sanford compared the legislative session to a ballgame, saying lawmakers are nearing halftime with many proposals still being debated.

"There are a lot of basketballs on the court right now," he said.

Sanford said he is open to legislative compromise but any tax plan must result in a net decrease of taxes. He warned that a failure to support such a plan would result in money being taken from education and other areas to pay the state's Medicaid bill.

Despite the governor's stated commitment to tax swaps that produce a net decrease, the Senate debated the 2-cent sales tax increase Wednesday, which would swell state tax coffers by more than \$1 billion. They have not adopted any plan yet, because they

cannot agree on how to spend it.

On a preliminary vote, the Senate supported by a one-vote margin setting education spending at the Education Finance Act formula level of \$2,201 per student. The House budget set EFA funding at \$1,643 per pupil. But after further debate, the Senate killed the education funding amendment by a one-vote margin.

Sen. Tommy Moore, D-Clearwater, promised the vote would be a "litmus test" in next year's elections on who has supported education and who has not.

Sen. Hugh Leatherman, R-Florence, who chairs the Senate Finance Committee, said such a tactic was disingenuous and he remains committed to increasing education funding.

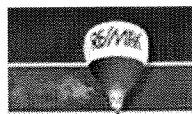
Leatherman voted against the \$2,201 per-pupil spending.

Sanford lauded Greenville School District Superintendent Bill Harner for announcing Tuesday he would cut five assistant superintendent positions and reorganize the district's governing structure to save \$2.6 million of the district's \$28 million estimated budget shortfall.

"He said, rather than starting with teachers and the classroom, let's begin with administration," Sanford said. "I would commend what he did in terms of leadership."

Sanford said while money is important to education plans, overhaul of the system is "essential." Sanford is proposing a plan that would give local districts more flexibility on how they spend their money.

Sanford declined to support a specific per-pupil funding figure, saying that the final number "is going to be south of where everybody probably would like it to be."



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Posted on Thu, May. 08, 2003

## Senate eyes education in budget battle

Vote to increase per-student spending fails

By VALERIE BAUERLEIN  
Staff Writer

Senators sparred and stalled Wednesday in their second day of deliberations on the state budget, frustrating one another and pushing at least one key Republican supporter away from a tax increase for education.

Democrats declared victory when, after four hours of debate, they forced a vote on funding education at the state economists' recommended amount -- \$2,201 per student.

The House approved a budget in March that set spending at \$1,643. It is now at \$1,775.

Although Republicans control the Senate, a handful voted with Democrats for the \$2,201 level. Democrats crowed when they won that vote 24-22, but Republican leaders corralled their members, recast the vote and won.

The Republicans' logic?

They can't promise to spend money they don't have. And the state will not bring in enough tax money next year to fund services at this year's level, much less a higher one.

The Democrats?

To them, the vote was a "litmus test" for or against education. They see the day as a success because it draws people's attention to the budget crisis, said Sen. Tommy Moore, D-Aiken.

"Every senator needs to hear from them," Moore said. "The effort will fall short without their help."

But Majority Leader Hugh Leatherman, R-Florence, said the day left him frustrated with his colleagues' "stonewalling," wasting time to push for a \$2,201 promise they have no money to back up.

Leatherman also softened his support on a 2-cent sales tax increase to help pay for education.

He said Tuesday he was for it, as long as it was coupled with lowering property taxes.

But Wednesday, he was not so sure. "After all this debate, I may have changed my mind."

This leaves the Senate in a mess.

Most senators say they do not support the budget proposed by the House. They dislike the cuts to education and other state functions from corrections to parks.

But Senate Republicans have quashed a Leatherman-backed proposal that would have raised money for education by eliminating the sales-tax cap on cars.

Then Leatherman backed away from the \$1.1 billion sales-tax proposal, taking his clout as majority leader and chairman of the Senate's finance committee with him.

The Senate meets again at 10 a.m. today to work further on the budget. Senators plan to work through the end of this week and perhaps next week, if needed.

Their challenge? They must reach consensus on what services to provide and how to pay for them for the fiscal year starting July 1.

Gov. Mark Sanford weighed in with his own news conference Wednesday, reminding legislators that he hopes his fiscal proposals will pass. And, subtly, that he has the final say with his veto pen.

He wants to raise the tax on cigarettes to offset the Medicaid health care budget. He would swap that tax increase with lowering income taxes over time.

The Senate has not even discussed the plan, as it has been focused on education.

Sanford could not say yet whether he liked the Senate's idea of raising the sales tax for education and property-tax relief.

That's partly because the Senate often works out its differences in quick and surprising ways, which might or might not include a sales tax.

"We're still a little early," he said. "We're waiting until we get a little further down the road to say 'yea' or 'nay' definitively."

MyrtleBeachOnline.com

Posted on Thu, May. 08, 2003

LIEUTENANT GOVERNOR

## Bauer says he didn't mean it

By Aaron Sheinin and Clif LeBlanc  
Knight Ridder

**'He sort of embarrassed all of us a little bit. It doesn't do any of us any good.'**

**Sen. John Drummond | D-Greenwood**

Lt. Gov. Andre Bauer apologized Wednesday for running red lights and causing a police officer to draw his gun in Columbia a day earlier.

"The citizens of South Carolina have elected me to a position of great trust," Bauer said in a statement read to reporters in his Capitol office. "With that great trust comes responsibility, including holding myself to a higher standard of conduct, which includes safe driving."

Bauer's driving record shows he has 13 offenses, though none since July 1999. Since 1993, the 34-year-old has had six speeding tickets, a license suspension for not paying a traffic ticket, and two accidents. Five of those offenses have occurred since Bauer was first elected to the General Assembly in 1996.

Bauer attributed his spotty record to youthful indiscretion. "As I've matured, my driving record has matured," he said. "When I was 15, I immediately started getting tickets. As I progressed through college, I got fewer and fewer. They have substantially dropped off. Never was I in jeopardy of losing my license" because of insurance points.

On Tuesday, Bauer was ticketed for reckless driving on Assembly Street after a Columbia police officer said he ran two traffic lights. Bauer was late for the noon start of the S.C. Senate and said he was hurrying to reach the Statehouse.

Bauer said he would hope to be treated as any other citizen would be treated. "I want to say I have tremendous respect for the job our law enforcement officers do."

Around noon Tuesday, Officer Jon Vanhouten stopped Bauer on Assembly Street near Hampton Street for, according to the police report, driving nearly 60 mph in a 35-mph zone and for running two red lights.

In his report, Vanhouten said Bauer drove with "total disregard for public safety," and said Bauer got out of his pickup truck and approached Vanhouten in an aggressive manner. That caused Vanhouten to draw his gun, point it at Bauer and order the lieutenant governor to raise his hands.

Bauer was driving a silver Ford F-150 pickup with a dealer license plate. The truck belongs to Palmetto Motors, a small dealership at 1921 Lake Murray Blvd. in Irmo. Bauer said Wednesday he is a silent partner



in the dealership. State law allows dealers to drive cars with dealer plates. This is the first car he's driven with dealer tags, Bauer said.

Cars with dealer tags are not subject to property taxes. During his five years in the House and Senate, Bauer said, he always drove cars with legislative plates and paid property taxes. He was elected lieutenant governor in November.

Bauer holds a largely ceremonial post that pays \$46,000. As the Senate's presiding officer, he votes only to break ties or rule on motions and points of order, something he did several times Tuesday.

As the Senate debated the state budget bill, Bauer ruled against several attempts to raise taxes. One of the attempts would have increased the cap on sales taxes levied on car sales from \$300 to \$2,500. Bauer ruled the proposal, and attempts to increase other taxes, out of order because Senate rules prohibit the budget from being used to make permanent law.

John Crangle, director of Common Cause South Carolina, a government watchdog, said it was not a conflict for Bauer to rule on a provision affecting car dealers. It might appear to be a conflict, however, Crangle said.

"The prudent thing would be just to let someone else rule," Crangle said.

Bauer said in an interview Wednesday that he didn't see any conflict. His rulings were in keeping with Senate procedure.

The cars sold at Palmetto Motors are mostly low-end vehicles that are not expensive, he said, and the change in sales-tax cap would not affect the dealership's cars.

Senate Ethics Committee Chairman Wes Hayes, R-York, said Bauer's rulings were not a conflict of interest or a violation of state ethics law.

The particular issue would have to affect Bauer's dealership alone or as part of a small group, Hayes said, to be a conflict.

Senate Democrats agreed.

"That's kind of far-fetched," said state Sen. John Land, D-Clarendon.

"He ruled based on tradition and Senate rules," said state Sen. Glenn Reese, D-Spartanburg. "Anybody who had been up here had to make that ruling."

He might not have violated Senate ethics, said state Sen. John Drummond, D-Greenwood, but Bauer's brush with the law Tuesday actions tarnished the government body.

"He sort of embarrassed all of us a little bit," Drummond said.

"It doesn't do any of us any good."

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**See a detailed look at Bauer's driving record 6A#HTMLInfoBox~~#HTMLInfoBox~~What Bauer said**

*"The citizens of South Carolina have elected me to a position of great trust. With that great trust comes responsibility,*

*including holding myself to a higher standard of conduct, which includes safe driving."*

*"As I've matured, my driving record has matured. When I was 15, I immediately started getting tickets. As I progressed through college, I got fewer and fewer. They have substantially dropped off. Never was I in jeopardy of losing my license" because of insurance points.*

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## Bauer stopped at gunpoint for speeding

Posted Wednesday, May 7, 2003 - 9:30 pm

By Dan Hoover  
STAFF WRITER  
[dhooover@greenvillenews.com](mailto:dhooover@greenvillenews.com)

A day after he was stopped at police gunpoint in Columbia and charged with reckless driving, Lt. Gov. Andre Bauer apologized Wednesday and said he "learned a great lesson."

Police records said his "actions showed a total disregard for public safety."

Bauer, 34, said in an interview he was late for a Senate session with "a million things on my mind."

"I made a mistake. I didn't allow enough time. The light turned yellow, I shot through it," he said.

Bauer said he made "a second error in judgment" when he approached the police car too fast "and alarmed the officer."

Officer J. L. VanHouten's incident report showed it took eight blocks and speeds up to 60 mph in a 35 mph zone for Bauer to stop from the point where he was observed running the first red light.

Bauer said he stopped when he saw the cruiser's blue lights "three blocks back" and never heard the siren.

His car was blocked by traffic, Bauer was held briefly at gunpoint after advancing in "an aggressive manner," the report said, then charged and released.

Bauer said he questioned the officer's account "to a certain extent" in that it



South Carolina Lt. Gov. Andre Bauer apologizes during a news conference Wednesday in Columbia for a traffic incident in which he was charged with reckless driving. Police said Bauer drove 60 mph and ran two red lights Tuesday while on the way to the Statehouse. He refused to answer questions from the media. (AP Photo/Lou Krasky)

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### More details

#### IMMUNITY PROVISION IN STATE CONSTITUTION

*"Members shall be protected in their persons and estates during their attendance on, going to, and returning from the General Assembly, and ten days previous to the sitting and ten days after the adjournment, except where a member is charged with treason, felony or*

purported to show a high-speed chase when he "immediately pulled over."

*breach of the peace."*

Art. III, Sect. 14

Columbia Mayor Bob Coble, a Democrat, said a routine internal investigation is being conducted, as is the case whenever an officer draws his service weapon. It is not under investigation by the department's Internal Affairs unit, he said.

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##### Online extra

- [Bauer's press release](#)

A move to abolish the limited legislative immunity provision in the state constitution will be introduced today by Sen. David Thomas, R-Fountain Inn, whom Bauer defeated for the GOP nomination last year. The provision prevents the arrest and holding of lawmakers for misdemeanors during sessions.

"Yes, it's embarrassing," Thomas said. "It has raised again the issue of legislative immunity and whether or not that is a legitimate power. I think we're past those days" when a governor or political party might use police power to prevent legislative foes from voting.

Brenda Erickson of the National Conference of State Legislatures said most states have the provision built into their constitutions to "prevent the opposing political party from interfering" with the process through the improper use of police power. Most states, like South Carolina, exempt treason and major crimes.

South Carolina attorney general opinions in 1979 and 1993 held that the provision doesn't apply to traffic offenses.

Bauer said he never sought to invoke immunity and "regarding the ticket and the fine, I don't expect any special treatment."

There was some merriment in the Legislature over Bauer's plight.

"It's blatant pandering to the NASCAR vote," quipped Rep. John Graham Altman, R-Charleston.

On the Senate floor, members passed this one from desk to desk:

"Andre always thought he looked like Jeff Gordon; we just never thought he could drive like him."

The few senators who returned calls expressed embarrassment over the incident, but declined to question Bauer's maturity or whether it would affect Gov. Mark Sanford's plan to amend the constitution to allow the governor to pick a running mate. Currently, the lieutenant governor is one of nine officials elected statewide.

"It's probably a strong case for having somebody to drive him," said Sen. Larry Martin, R-Pickens. "He's got time to overcome it, but it's not something he can shovel under the rug. It's certainly embarrassing."

Sen Mike Fair, R-Greenville, said the situation is "embarrassing to everybody."

Sanford said he thought the incident irrelevant to his idea, that "this is not personality specific. Our proposal existed long before any driving incident with the lieutenant governor. It will exist long after."

Bauer, whose driver's license showed a Chapin address, was to convene the Senate at noon. The police report logged the incident at 11:54 a.m.

After waiting for a time, the Senate began its session without Bauer.

Fair said he was in the Senate's anteroom "when he came flying through, his purple robe sticking straight out, just after whatever happened happened."

Sen. Ralph Anderson, D-Greenville, said Bauer has made no formal mention of the matter to the Senate.

According to the incident report filed by Officer VanHouten, the silver 2002 Ford pick-up truck driven by Bauer ran the red light while traveling south on Assembly Street at Calhoun Street, a dozen blocks from the Statehouse.

VanHouten "activated (his cruiser's) blue lights and siren in an attempt to stop the vehicle (and) noticed the vehicle rapidly pull away and estimated its speed between 55 and 60 mph in a 35 mph zone."

The officer wrote that as he closed on the vehicle, it "did run the red light at Assembly and Blanding. Still traveling southbound, the vehicle did stop at Assembly and Hampton due to heavy traffic."

At that point, Bauer emerged from the pick-up, according to the report and "ran back toward the patrol car in what was believed to be an aggressive manner."

VanHouten wrote that he was unable to exit his cruiser "in ample time and drew his service weapon and advised the subject to stop and raise his hands. The subject complied and did so."

A frisk yielded no weapons, the officer said.

VanHouten said that when he realized Bauer was the lieutenant governor, he sent for a supervisor and Bauer was issued a citation and released.

He checked the "No" box for use of alcohol and "Unknown" for drugs.

Sanford said Bauer's response to the incident has been proper.

"I think he did what anybody in less than an ideal situation would do, and that is, he has apologized and said he wants to be treated like any other citizen. I think that would be the standard anybody would want to be held to. Do we all make mistakes? Absolutely. The question is do we learn from them?"

Lieutenant governor is a part-time job with a \$46,000 salary and mostly ceremonial duties, including presiding over the Senate with no vote except to break the rare tie. In the event of the death of the governor, the lieutenant governor assumes the balance of the term.

Bauer said the incident should not call his maturity into question.

"Anybody 34 or 54 at some point has had a traffic stop. We all have situations in life we'd like to have handled different, but you don't look at one incident, you look at incidents throughout life," he said. "Clearly, I have demonstrated an ability to serve and make tough decisions, as I did yesterday" on critical legislative rulings.

"To say because I ran a red light I'm not prepared to serve in this job, that might be stretching it."

Bauer said he had an "unblemished" traffic record — since his last ticket in 1997.

The pick-up Bauer was driving sported dealer tags. Bauer said he no longer owns a vehicle and had borrowed the pick-up from an Irmo car lot in which he has a

partnership. Since taking office, he had been "catching rides" with friends.

—

Dan Hoover covers politics and can be reached at 298-4883.



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Story last updated at 7:04 a.m. Thursday, May 8, 2003

## Slow down, Lt. Gov. Bauer

Lt. Gov. Andre Bauer exhibited faulty judgment again Tuesday, resulting in a charge of reckless driving. Columbia police report that after an officer began trying to pull Mr. Bauer over, he failed for four blocks to stop the pickup truck he was driving.

According to police, the lieutenant governor drove 60 mph in a 35 mph zone and ran two red lights in downtown Columbia. Also according to police, after Mr. Bauer finally stopped his truck, he got out of it in such an aggressive manner that a veteran policeman felt the need to pull his gun and order the lieutenant governor to raise his hands.

Lt. Gov. Bauer read a prepared statement Wednesday apologizing for his actions. From that statement:

"I am here today to apologize for the manner in which I was driving yesterday. I made a mistake in leaving late to arrive at the Senate. I understand that as lieutenant governor, the citizens of South Carolina have elected me to a position of great trust. With that great trust comes responsibility -- including holding myself to a higher standard of conduct, which includes safe driving."

He added: "Please understand that I have learned a great lesson from yesterday's events and will certainly make a diligent effort to continue to earn the trust of the citizens of South Carolina."

Mr. Bauer's apology clearly was warranted. But his refusal to take questions from reporters hardly sends a signal of openness about his actions.

Certainly Mr. Bauer should understand that obeying traffic laws does not require him to meet "a higher standard of conduct" than any other S.C. motorist. Even those of us who haven't been elected to statewide office aren't allowed to drive 60 mph and run red lights while ignoring police orders to pull over.

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Mr. Bauer also should understand that while leaving late for work qualifies as a "mistake," reckless driving prompted by such tardiness severely compounds that "mistake" by endangering the innocent.

Mr. Bauer had an earlier lapse of judgment when he requested a 17.2 percent funding increase for his office in a tight fiscal year that's forcing many, if not all, state agencies to endure deep budget cuts. The lieutenant governor should do a better job of leading by example as a prudent steward of the state money -- and as a prudent driver.



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## OPINION



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Posted on Thu, May. 08, 2003

THE SUN NEWS

## EDITORIAL

**Tourism-Only Too Limited a Focus****Gov. Sanford's warning on 'conflicting signals' could be misconstrued**

In warning Grand Strand business and professional leaders to "be careful about sending conflicting signals" about the community's mission last week, Gov. Mark Sanford made a good point. It is true, as he said, that tourism is what the Strand does well, and that it must continue to be known for that.

But his remarks at the second annual Growth Summit invite easy distortion. Some local leaders could take them as validation of their tourism-only vision for economic development and growth control.

That tourism-development focus would make more sense if tourism jobs carried high wages, and if every youngster in the community aspired to a season-sensitive tourism career. But neither assumption is true. That's why diversifying our economy beyond tourism should be a central element of the community's planning for the future.

None of this is to trash tourism jobs or pretend tourism is not important. We're darned lucky to have work for almost everyone who wants to earn a living here. Tourism has made the Grand Strand one of the wealthiest communities in South Carolina.

The visitors who ply our shores annually leave millions upon millions of dollars in their wake. That creates prosperity for all of us, not just the folks who own hotels, amusements, restaurants and the other venues that tourists routinely visit. Just as the governor said, losing our focus on the good things that tourism does for us would be foolish.

But that does not justify allowing a relentless tourism brand identity focus to crush other economic-development initiatives. The community must also focus on improving average earnings per worker, the measure of success that has the greatest across-the-board meaning. All the U.S. communities that prospered during the 1990s - Austin, Texas, for instance, and the N.C. Research Triangle - showed vastly improved earnings per worker. Part of that "magic" in those communities was expansion of economic development beyond traditional mainstays.

As well, our community should focus on keeping its children here. Why should other communities get the benefit of our hard work in raising them right and exposing them to a high-caliber education?

That means giving them a reason to stay here once they're grown. The best way to accomplish that is attracting and creating a variety of high-wage opportunities in interesting work that is likely to last, or at least return after recessions.

Sanford may have been right in advising Strand leaders not to re-create Greenville, a major Southeast manufacturing center, here on the coast. That would be a long-shot strategy.

But it is realistic to dream of a future Grand Strand that houses corporate headquarters, software development facilities, high-tech small-manufacturing plants, retail distribution centers, insurance

processing offices, value-added agricultural processing, biomedical research labs and, as CEO Doug Wendel of Burroughs & Chapin Co. Inc. urges, a state-of-the-art exposition complex that attracts trade shows from all over the country - and the world.

How do we do that? By allowing alternative ideas to creep into our tourism-centric future-Strand vision, then evolving strategies for translating vision into reality.

Tourism will always be our economic mainstay. But relying on it alone to carry us into the future is a mistake that community leaders should not make.

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Posted on Thu, May. 08, 2003

The State

## Utility rate lawsuit underscores need for PSC reform

A LAWSUIT FILED LAST month alleging that state regulators have allowed power companies to overcharge S.C. consumers by tens of millions of dollars should guide legislators trying to reach agreement on proposals to reform the utility regulatory process.

The suit, filed by the state consumer advocate, notes that regulators have interpreted state law much more favorably for the power companies than their counterparts in other states. Their interpretation is so questionable, in fact, that two of the three major power companies have decided to ignore their generosity and follow what seems to be the clear meaning of the law.

The allegations, along with the tacit admission of their validity by Duke Energy and Progress Energy, highlight simmering problems with the state Public Service Commission and the need to reform it:

- Many of our commissioners do not have the education and technical knowledge you would expect people to need to decide such complex matters as which components of power purchases can be considered "fuel costs," and thus automatically charged to consumers. (They also are unwilling to follow the advice of their educated staff.) It's possible that the courts will rule that commissioners interpreted state law correctly, although that seems doubtful. But what do you expect? The Legislature has historically shown no interest in electing commissioners with the education and background necessary to do the job, and now the House is fighting a Senate proposal to require that new commissioners at least graduate from college (which we consider an absolute minimum qualification).
- The commission's practice of meeting privately with utility companies to work out agreements that are supposed to be decided in an open process -- and that will affect the rates we pay -- is not limited to phone companies. An SCE&G official admitted this last month, when he said at a public hearing that officials with the three power companies had met privately with the PSC staff in 1997 and decided how the utilities would be able to calculate their rates. That secret meeting prevented the consumer advocate from arguing for a different formula, which might have benefited ratepayers. (The executive director of the PSC denies there was anything inappropriate about the secret meeting.)
- The consumer advocate needs to be able to operate completely independently of the PSC, and to be able to continue to represent the best interests of ratepayers, rather than having to also look out for the utilities. Without that, we wouldn't even be considering whether the PSC was letting the utilities charge too much. Fortunately, the House rejected a proposal to prohibit the consumer advocate from getting involved in utility cases. But both the House and the Senate require the state officials who advocate the "public interest" to include as part of that the utilities' interests. That's like telling a prosecutor to balance the killer's needs against the needs of society during a murder trial. The PSC commissioners already, appropriately, are required to take into account the financial stability of the utilities.

The utilities say the way the PSC lets them calculate rates results in lower costs for consumers, and their explanation for that argument sounds logical. But the law doesn't allow it, and if they don't like the law, they should convince the Legislature to change it. The PSC is supposed to obey whatever law legislators pass. Legislators should recognize that the commissioners don't seem to understand that -- and respond

accordingly.

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Posted on Thu, May. 08, 2003

## S.C. EDUCATION DEPARTMENT

# Audit: Agency enforcing education health law

By Jennifer Holland  
The Associated Press

**COLUMBIA** - The S.C. Education Department is doing a better job to ensure school districts comply with state health education laws, according to an audit released Wednesday.

But the General Assembly still should enact penalties against school districts for noncompliance, the Legislative Audit Council says in its follow-up review of the Comprehensive Health Education Act.

State Sen. Mike Fair, R-Greenville, said he plans to address the issue next year. There isn't time in the current legislative session to get anything passed.

The law establishes topics of health education for grades first through 12th that emphasize healthy lifestyles, including nutrition, physical activity, and remaining free from drugs, alcohol and tobacco.

The health education act also says teachers should limit instruction to emphasizing abstinence and relations between married hetero sexuals.

The Education Department came under fire in 2001 after auditors found that school districts had not complied with various provisions of the law, including allowing parents to exempt their children from sex education classes.

"The responsibility is at the school level, it's not at the state level," said Deputy Superintendent Calvin Jackson. "We ask parents to work very closely with their schools."

Since the 2001 audit, the department has surveyed school districts on how they followed the law and then increased assistance to districts that were not in compliance.

"The audit really validates what we have been saying all along," Jackson said.

The agency also has developed a policy to define better the purpose and operating procedures of a panel formed to review materials on HIV education, the audit said.

The agency uses more than \$600,000 from the Centers for Disease Control and Prevention to operate the healthy schools program, Jackson said.

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Posted on Thu, May. 08, 2003



## Fate of S.C.'s poor at heart of predatory lending, budget debates

By WARREN BOLTON  
Associate Editor

I VISITED THE State House Tuesday to check on lawmakers' progress on legislation aimed at reining in predatory lending. While there, I also listened to some of the budget debate in the Senate and talked with a few lawmakers.

All of it reminded me: Poor people have a tough time being heard in South Carolina.

Nothing illustrated that more than the sight of the overwhelming number of lobbyists wooing lawmakers on behalf of high-powered, deep-pocketed lenders in an effort to water down legislation meant to protect this state's elderly and poor borrowers.

In many respects, the group working for a strong law to protect borrowers is large in comparison to the number you would see pushing such causes in years past. At times, it seemed as if Sue Berkowitz, director of the South Carolina Appleseed Legal Justice Center, was a lone voice on issues affecting the poor.

On the issue of predatory lending, however, she has worked with four others in particular: Jane Wiley, legislative director for AARP South Carolina; John Ruoff, research director for South Carolina Fair Share; Brandolyn Pinkston, interim director of the Consumer Affairs Department; and Furman Buchanan, who represents the credit unions.

But they are still badly outnumbered.

I arrived at Tuesday's conference committee meeting just as it ended. As I talked with consumer advocates, one lobbyist after another streamed from the meeting room. I was amazed at the large number of lobbyists dispatched to make sure that legal loan sharking is protected in South Carolina.

Lawmakers told me the faithful consumer advocates have proven to be effective voices who have helped get legislation to this point. Despite their success, consumer advocates still have an uphill battle. That's because the more than two dozen lobbyists representing lenders are an overwhelming force. "The consumers are outnumbered maybe 100 to one," said Darrell Jackson, a Senate negotiator.

Sen. Jackson was exaggerating some, but his point was well made. In South Carolina, big money speaks louder and with far more clout than the voices of voters and poor consumers.

Last week, it seemed the House and Senate conferees working on predatory lending were nearing an agreement. However, Ms. Berkowitz, as well as Sens. Jackson and Linda Short, also a conferee, said lenders are pressing to change key provisions in the legislation, and House members are wavering.

House conferees now do not want to hold mortgage brokers responsible for making good loans to borrowers. House negotiators also oppose mandatory counseling for borrowers and limitations on what can be financed on high-cost loans.

Rep. Harry Cato, who helped get this matter this far, has said all along he wants to see consumers protected. Now is the time to prove it. He and Rep. Converse Chellis must join with Rep. Joe Neal and Sens. Jackson, Short and Wes Hayes to send a message to predatory lenders that they have robbed poor and elderly borrowers long enough.

As if it is not bad enough that some lawmakers might side with lenders and allow the financial abuse of consumers to continue, the poor fare no better in the ongoing budget debate. Politics has often taken precedence over the fact that poor people and children will suffer if something is not done about our budget problems.

South Carolina has long failed to educate many of its people. The Education Accountability Act was supposed to help turn that around. However, although the state has successfully labeled many schools as being poor performers, it has never given those schools the money and resources to address their shortcomings.

And it doesn't look like that help will be coming anytime soon. Poor revenue collections and bad budgeting by lawmakers have put South Carolina in a position where it has to either cut services, including schools, or raise taxes.

So far, we have been hacking away at budgets in a nonsensical way, leaving key agencies bleeding profusely. Medicaid hangs in limbo. The Department of Corrections, the departments of Juvenile Justice and Mental Health, which house many poor people, have been cut to the bone. Schools face deep cuts; those in poor areas will be hit the hardest.

As I listened to the Senate budget debate, I began to wonder whether lawmakers really understood what was at stake here -- real people's lives.

Many in the Senate seem interested in raising taxes to adequately fund services. However, it is clear politics and process will weigh heavily in this debate. But lawmakers must stay focused on this state's people and not politics.

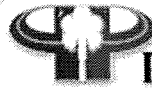
Senators should heed the words of Sen. Tom Moore as he talked about meeting the needs of this state. Paraphrasing a line from a character in the movie "Cool Hand Luke," he told senators: "You've got to get your mind and your heart right."

Until we in this state, particularly our elected leaders, get our hearts and minds right, we'll never see how much people are hurting and will never be able -- or willing -- to meet their needs.

Until then, we will never see what is wrong with allowing lenders to charge the poor such high rates and excessive fees that they're forced out of their homes. We will never see the wrong in setting education back decades in this state.

Meanwhile, the poor will continue to struggle.

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## Serious effort to help DJJ

Posted Wednesday, May 7, 2003 - 6:43 pm

*Senate proposal seeks compliance**with court order; it could end**13 years of federal oversight.* [e-mail this story](#) [discuss this issue in our forums](#)

The Senate's proposal to add \$7 million in new funding and give the state Department of Juvenile Justice new sources of revenue has a realistic chance of ending federal oversight of the agency. It is shameful that DJJ, 13 years removed from the landmark lawsuit that determined the agency was unconstitutionally overcrowded and dangerous, has not been adequately reformed.

It is encouraging to see the Legislature, the governor and the DJJ director making what is an extraordinary effort in light of the state's revenue crunch to finally seek absolution from the federal bench. Such a consensus has been absent. DJJ has been treated with shocking indifference, with failure the only constant across administrations and within a Legislature that has switched parties but kept a crabbed view of DJJ.

Embarrassing revelations from a string of lawsuits reveal an agency where juveniles have been subject to abuse aided by insufficient resources, incompetence and apathy. Over the past two years the agency has spent \$1.1 million settling claims that children as young as 10 were sexually assaulted.

So DJJ remains under federal oversight mainly because it has not yet demonstrated that it is properly protecting the juveniles the agency incarcerates.

Strides have been made, and reforms instituted by new DJJ director William Byars hold great promise. The Senate plan will address oversight directly by providing \$1.7 million in funding earmarked to add nearly 60 guards for evening shifts. It is during those hours that assaults are most likely.

Additional staff will also be added to man new surveillance equipment. The Senate plan will also generate more revenue by allowing DJJ to sell some of its land at a profit and claim half of the child support payments to children under the agency's care. The Legislature should pass the Senate's plan, which is endorsed by Byars.

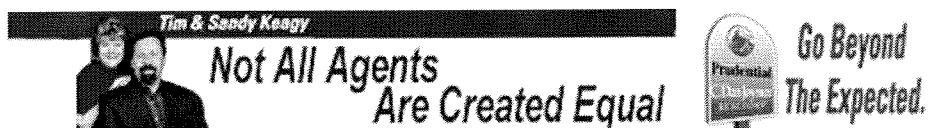
But not all of DJJ's problems are financial. For example, too many truants and other so-called "status offenders" are being incarcerated who should not be. A 2002 study of DJJ juveniles found that 52 percent are there for minor offenses. And the agency inexplicably failed to keep recidivism statistics during the Hodges administration, which is an obstacle to measuring how many juveniles are reformed by incarceration. Those are leadership failings that must be addressed by Byars, who has a vision for DJJ.

The Senate Penology Committee, led by Greenville Sen. Mike Fair, deserves credit for



taking seriously the oversight panel's safety concerns. The increased funding should help the state make a strong case to District Judge Joe Anderson about ending federal oversight.

This has been a great stain on the state, and its removal has been a long time coming.



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## Cloud over education

Posted Wednesday, May 7, 2003 - 6:43 pm

*State may lose some better teachers.*

A cloud hangs over teachers and would-be educators in South Carolina. Thousands of teaching positions may be eliminated if state lawmakers follow through with plans to reduce basic funding to schools.

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For the 2003-04 school year, the Education Finance Act guidelines show schools should be funded at \$2,201 per pupil, but the House has provided only \$1,643 per pupil. That takes schools back to 1994 funding levels. School districts across the state have given about 1,500 teachers pink slips, and as many as 6,000 teaching positions eventually may be eliminated.

The effect for both current and future teachers is demoralizing. Some worry about losing their jobs. At the very least, educators face the prospect of larger class sizes as their responsibilities increase in an age of greater school accountability.

Some teachers may opt to take better and more lucrative offers in other states. Bright college students may think twice before entering the teaching profession.

Larger class sizes mean less time for individual instruction, diminished educational opportunity for students and a less-effective public education system.

With the current teacher shortage, it's likely that most teachers in the state will be able to find jobs. But some of the better educators — and future teachers — are likely to be lured away by other states that demonstrate a high commitment to education by avoiding the deep cuts being contemplated by South Carolina's Legislature.

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Posted on Thu, May. 08, 2003



## Schools should be re-thought as community centers

By JOHN L. KNOTT JR.  
Guest columnist

South Carolina is facing a crossroads in public education. As the state grapples with its worst fiscal crisis in a half-century, the General Assembly is looking to cut state allocations for public schools. Predictions abound that as many as 6,000 teachers could be laid off statewide with a new round of cuts. For a state that ranks near the bottom of national SAT scores, an even lower teacher-to-student ratio would inevitably lower academic performance in our schools.

Truly, the current crisis presents an opportunity for the state's private sector to develop a solution for the problems afflicting our schools. However, the problem will not be solved by pumping more money into an educational system in need of wholesale reforms. The underlying problems will only be solved by dramatically restructuring our school systems, so that they become healthier and more cost-effective places for students to learn in a supportive environment.

During the past 40 years, public schools have changed dramatically in their roles as centers of our communities. The school that was once a library, arts center, recreational venue and a continuing education facility has virtually disappeared. Today, most schools are stand-alone facilities, with little or no connection to the community that surrounds them.

As a developer, my firm is an avid proponent of the principles of "sustainability" -- i.e., creating communities that are socially just, economically viable and environmentally friendly. Currently, we are developing the Noisette Project in North Charleston, a 3,000-acre, public-private venture between the Noisette Co. and the city of North Charleston. Noisette is designed to revitalize both the riverfront of the former Charleston Naval Base, and the blighted neighborhoods encircling the former base.

The Noisette development plan is based on sustainable principles of environmentally conscious building. Perhaps nowhere does sustainability apply more than to public schools.

Schools are just one victim of the inefficient division of resources through public, private and non-governmental organizations that afflicts our entire society. We must eliminate such thinking altogether in the funding of community resources, and marshal civic and community investments so they become a source to transform schools into multiuse facilities.

Most people overlook the fact that the actual construction costs for a school building represent only 10 percent of the entire cost over its lifetime. Some 90 percent of the "real" cost lies in the repair, operation and maintenance of school facilities. Logically, schools should be built to ensure lower operating costs, with particular emphasis on long-term durability.

If we value the future of our children -- and the resources expended by taxpayers -- then our society must build healthier and more durable school buildings for our communities.

Other examples abound in our school system. The first step towards school reform would be to eliminate the turf battles and duplication of services between state, county, city and school board that plague our

local communities. Consolidation of basic services represents one way to achieve this goal.

In South Carolina, we have no real public transportation system for our neighborhoods, but we fund infrastructure for school buses for part-time use -- even though the capital resources are dedicated 24/7. With a taxpayer mandate, school buses could be transferred to a local or regional transit authority.

Simply, the schools would serve as a hub connector for public transportation, operating 18 hours a day. School districts would pay fees -- less than their current operating budget -- to the transit authority. A bonus is that the transit authority becomes eligible for per-day federal subsidies based on public ridership.

Another example lies in reforming the school library system. By transferring school libraries to the county library systems, school districts would get out of the library business, and counties would have less need for building more neighborhood libraries.

In the Noisette project, public schools are at the core of our community redevelopment plan. The Noisette master plan includes a special tax district, which funnels 25 percent of its revenues to improve the 13 public schools within the Noisette district.

Similar innovative methods of funding public schools must be created if South Carolina is going to pull out of the educational doldrums.

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*Mr. Knott is CEO and co-founder of the Noisette Co. in Charleston and CEO and managing director of Dewees Island.*



Posted on Thu, May. 08, 2003

## State pulls 300 buses from roads for repairs

The Associated Press  
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More than 300 school buses were taken off S.C. roadways Wednesday after the state Education Department found welding defects in the vehicles' roofs.

The agency said it pulled the buses from regular service as a precaution based on inspection guidelines from the School Bus Information Council.

A recent bus accident in Florida prompted officials across the country to inspect buses built by Indiana-based Carpenter Bodyworks, which went out of business five years ago, the department said.

South Carolina operates 1,196 buses built by Carpenter; the buses are between 16 and 21 years old. Nearly 740 are regular route buses, while the rest are used as spares, said Donald Tudor, the department's director of transportation.

The Education Department will repair the buses this summer, following recommendations by the National Highway Traffic Safety Administration, Tudor said.

Tudor urged churches, private schools and other organizations with Carpenter buses to inspect their vehicles.

The state's aging fleet of more than 5,000 school buses needs many repairs. Education Superintendent Inez Tenenbaum has asked lawmakers for help to buy new buses.

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Posted on Thu, May. 08, 2003

## 'Unborn victims' bill gains steam

By LAUREN MARKOE  
Washington Bureau

**Washington** U.S. Sen. Lindsey Graham has long argued for a law that charges the killer of a pregnant woman twice: once for the mother and once for the fetus.

This year, Congress seems ready to turn his bill into law.

Graham's "Unborn Victims of Violence Act" is one of the few bills that Senate Majority Leader Bill Frist, R-Tenn., says he wants the Senate to pass before its Memorial Day recess begins.

Support for the bill also has been boosted by the Laci Peterson tragedy, in which a missing California woman was found dead last month, not far from the remains of her fetus.

"This case in California explains this better than I can ever explain it to you," Graham said Wednesday.

As a congressman, the Republican senator from Seneca twice pushed the bill through the House, only to see it stall in a Senate controlled by Democrats.

The measure riles abortion rights groups, who see it as the first step toward endowing a fetus with rights and criminalizing abortion. On Wednesday, they accused the bill's supporters of exploiting Peterson.

"It is a sad statement that anti-choice leaders are willing to use a family's tragedy to continue their campaign to steadily take away a woman's right to choose," said Kate Michelman, president of the National Abortion Rights Action League.

But the bill is quickly gaining steam both within and outside Congress.

Senate Majority Leader Bill Frist, R-Tenn., said it's one of a handful of measures he aims for the Senate to pass before its Memorial Day recess. President Bush and Peterson's family have also endorsed it.

Though similar cases could fall under Graham's bill, it wouldn't actually apply to Peterson's. A California law already allows prosecution for the death of both Peterson and the fetus.

In most cases of assault, manslaughter and murder, state laws apply.

And Graham's bill won't supersede the law in South Carolina and 23 other states where harming or causing the death of a fetus is not considered a crime separate from harm to the mother.

State Sen. Danny Verdin, R-Laurens, plans to introduce a bill Tuesday that would make it a crime in South Carolina.

The focus of Graham's bill, which he co-sponsored with Sen. Mike DeWine, R-Ohio, is relatively narrow.

Only in a minority of cases does federal law apply when a pregnant woman is harmed or killed -- such as when the crime takes place on a military base or other federal property.

Graham's bill would extend that federal law to cover the fetus.

"I think, regardless of pro-life or pro-choice feelings, that most Americans want to protect the unborn from violence against criminals," Graham said.

The bill specifically states that a woman who seeks a legal abortion and the medical personnel who treat her could not be prosecuted.

But as much as Graham says the bill is not mired in the abortion debate, even Senate Judiciary Committee chairman Orrin Hatch -- a staunch abortion opponent and a supporter of Graham's bill -- acknowledges that it advances the anti-abortion rights cause.

"What is the point of this bill?" said Jenny Powers, spokesman for the S.C. chapter of the National Organization for Women. "If you murder a pregnant woman, you would expect the most severe punishment. The purpose of this bill is to declare a fetus a life."

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## Lawmakers turn tables on council's funding cut

### Delegation moves to withhold \$14M after county votes to keep office money

BY BRIAN HICKS AND ARLIE PORTER  
Of The Post and Courier Staff

COLUMBIA--Charleston County Council may have just made the most expensive cost-saving move in history.

After the council voted Tuesday not to spend \$142,000 on an office for the local delegation, Charles-ton lawmakers responded Wednesday by introducing legislation to withhold \$14 million the state usually contributes to the county's operating budget.

"They called the tune, now let's see if they are ready to pay the piper," said state Rep. Chip Limehouse, the delegation's chairman.

Limehouse is the lead sponsor of a bill signed by most of the Republicans and Democrats in the county's House delegation that would give the \$14 million to local schools, with a mandate that the district use the money to lower its property taxes.

Because it is a local bill, it requires only the support of the delegation. That would send it to the Senate, where there may be enough support to pass it as well.

"If the County Council doesn't rescind this vote, I'll support that," said Sen. Arthur Ravenel, R-Mount Pleasant.

In addition to the House action, Senate President Pro Tem Glenn McConnell -- perhaps the most powerful lawmaker in the state -- has written a budget amendment that simply would take the money needed for the office out of the state money the county receives, along with a 25 percent fine to cover additional costs, if the county does not restore funding for the delegation office.

"This is a fight they cannot win," McConnell said.

Council Chairman Tim Scott was not happy with the delegation's response, warning that such a move would only hurt lawmakers' constituents -- local taxpayers.

"I think it's unfortunate that this is their course of action," Scott said. "We're trying to open dialogue with our legislators, and this doesn't help matters."



Other council members were stunned by the retaliation, even those who predicted it, such as A.D. Jordan.

"It's very childish and uncalled for. There is no need for us not to be working together," said Jordan, who voted against cutting the delegation budget.

The skirmish erupted when Charleston lawmakers took over the distribution of state gas tax proceeds -- funds used to repair and repave local roads. The council, which has battled the delegation over who controls the committee that distributes the \$3.6 million annually, responded with a threat to remove its staff from the committee.

McConnell said he was trying to smooth things out with delegation members but the county's action makes any compromise difficult.

"I was on their side, trying to work something out," McConnell said, "but making people mad doesn't help the situation."

The delegation office, which is staffed by a receptionist and two case workers, handles much of the constituent services for the county's 22 lawmakers. Most members of the county delegation rely on the office to handle much of their back-home work, particularly while they are in session. The county is required by law either to fund the office or pay money for constituent expenses to the members individually.

The county has questioned that requirement in recent years, saying the office hasn't been subject to budget cuts. Its budget has nearly doubled in six years.

"It was not unreasonable that they be subjected to budget scrutiny," Councilman Ed Fava said.

Charleston's office, delegation members contend, is one of the most active constituent service providers in South Carolina. While Fava and others have said it would be cheaper simply to pay lawmakers, delegation members long have preferred to pool their money into a single office rather than get an extra \$4,000 or so each.

The county's budget vote enraged Charleston lawmakers, particularly since they learned of it from news reports.

"Who is going to handle the thousands of phone calls we get?" said Rep. Wallace Scarborough, R-James Island. "I guess we'll just forward them to the County Council office."

"That office serves our county well. If you want constituent services, you call that office," said Rep. Seth Whipper, D-North Charleston. "This is a rare time when you get a local delegation consensus."

"They must be smoking something," said Rep. John Graham Altman, R-Charleston. "They are trying hard to make the school board look better by

comparison."

Charleston County School Board Chairman Gregg Meyers said the district would happily take the \$14 million and put it to good use, noting that if County Council has replaced the school board as the focus of the delegation's ire, "they've had to work at it."

Privately, lawmakers expect County Council to cave in and restore funding to the office. If not, they intend to pass one of the two pieces of legislation drafted Wednesday.

This might not be the end of the spat. The council has bristled at funding a new voter registration and election office that the delegation created earlier this year.

McConnell said that if the county doesn't fund that, he'll add another budget amendment to take that money from the \$14 million going to Charleston County.

"If they can't take some money out of that to fund an office for the people of Charleston County to have a delegation office, it will cost us more and them more," McConnell said. "We control the purse strings."

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## USC grads, families should prepare for long lines Friday

Posted Wednesday, May 7, 2003 - 5:04 pm

By DAN HOOVER  
STAFF WRITER  
[dhooover@greenvillenews.com](mailto:dhooover@greenvillenews.com)

You've sweated through four years of college, if your parents are lucky, and when graduation day arrives at the University of South Carolina, President Bush decides to give the commencement speech. What does it all mean?

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Just that you, your parents, relatives and friends stand in line, wait, get searched electronically, stand in another line, sit down, wait ... and wait some more. And when it's over, you get to wait again because no one leaves until the president is gone.

USC officials are urging the thousands of graduates and their guests not to tarry Friday when Bush gives the commencement address to approximately half of the school's 3,000 graduates. The others get to hear Jack Valenti, head of the Motion Picture Association of America, at Saturday's graduation.

"Plan, and come early," said Russell McKinney, USC spokesman, who added a cautionary note about traffic conditions from closed streets around the new Carolina Center where commencement will be held.

There will be no overtly political events connected to the visit.

Caton Dawson, state GOP chairman, said the White House is billing the visit as "a nonpolitical event and they're not letting us put our fingerprints on it. Of course, it helps us any time Air Force One gets here."

Dawson said, "It will be a long day for a lot of parents. We waited hours and hours in Charleston (last July)."

Bush will receive an honorary doctor of laws degree during the ceremony, which will be broadcast by SCETV.

USC President Andrew Sorensen said the event "indeed will be a historic day for the university and for the state of South Carolina."

Bush is the second sitting U.S. president to speak at a USC commencement. In May 1990, his father, George H.W. Bush, addressed USC graduates. In 1957, while he was still a U.S. senator, John F. Kennedy was the speaker.

USC's McKinney said no huge back-ups are expected, but the crowd will have to be

processed in a 125-minute span, from doors opening at 12:15 p.m. to their closing at 2:20. The program begins at 3 p.m.

Each Friday graduate has been given a ticket, plus six for family and friends, he said. Saturday graduates have received one ticket allowing them to hear Bush. In addition to their tickets, all must show government-issued photo identification and pass through a metal-detection device.

McKinney said USC, not the White House or Secret Service, insisted upon ticketing to assure that graduates and their guests would not be crowded out by those with no direct interest.

The university will open the nearby Koger Center for others to watch on closed-circuit television.

Tickets were issued from 8 a.m.- 8 p.m. Wednesday and will be again today only at ticket windows at the Carolina Center.

Still and video cameras will be allowed inside the Carolina Center, but bags will be searched. No cell phones, pagers, signs or posters will be permitted, according to the USC Web site.

Dan Hoover covers politics and can be reached at 298-4883.

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Posted on Thu, May. 08, 2003

## Some USC students plan to protest Bush visit

Associated Press

**COLUMBIA, S.C.** - The parents of University of South Carolina senior David Byer are driving down from Connecticut to see him get his accounting degree Friday.

But Byer doesn't plan to be in the Carolina Center accepting his diploma. Instead he will join other students and professors outside protesting the university's choice of President Bush as its commencement speaker.

Instead of diplomas, they'll accept copies of the U.S. Constitution at the sidewalk ceremony outside the Koger Center for the Arts.

"They are both upset and disappointed with me," Byer said. "But I think they understand that this is just something I have to do."

The rally will include "people of very different political backgrounds who have grievances with Bush on a wide variety of issues," said Amanda Martin, who plans to lead the rally.

Organizers say they have invited thousands and expect protesters from neighboring states.

"I won't be attending my own graduation because George W. Bush will be stealing that graduation," said Martin, who should be receiving dual master's degrees in social work and public health.

Martin thinks Bush's visit has less to do with graduation and more to do with the recent Democratic presidential debate. She accuses university administrators of "selling our graduation away like a pay-by-the-hour hotel."

English professor Greg Forter said he'll be protesting because Bush's fiscal policies have been damaging to higher education.

"We feel very strongly that Bush's position on education is a lot of talk and not a lot of money," Forter said. "And when you're giving tax breaks to the rich and waging unjust and expensive wars, it's very hard to fund education."

University officials aren't upset about the protest, university spokesman Russ McKinney said.

"It's a university campus, and everyone certainly has the right to express themselves as they want to," McKinney said.

Information from: The State

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## Death threat against Carolina Investors chief probed

Posted Wednesday, May 7, 2003 - 6:32 pm

By David Dykes

STAFF WRITER

The Pickens County Sheriff's office is investigating a death threat against Larry C. Owen, president and chief executive officer of Carolina Investors Inc.

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Owen told investigators the threat was conveyed in a note addressed to him and sent to his home in a plain white envelope, according to Sheriff's Office records. It instructed him to comply with the sender's request referring to a Carolina Investors' financial note, investigators said.

Carolina Investors is under investigation by state and federal authorities in connection with the investment company's recent collapse.

Details of the typewritten threat weren't disclosed but Assistant Pickens County Sheriff Tim Morgan said it has been sent to the State Law Enforcement Division for fingerprint analysis. The envelope contained no return address.

"We've taken the (incident) report. We've talked with a few individuals. It's still an ongoing investigation," Morgan said. "We treat it seriously and we're going to do everything that we possibly can do with it."

Owen and his attorney couldn't be reached for comment.

Morgan said investigators have interviewed both Owen and potential suspects, but no arrests have been made.

In March, Owen received a handwritten and signed note at his residence that he believed was from a Seneca resident, sheriff's officials said. Details weren't disclosed but officers took both notes as evidence, investigators said.

Owen, an Easley businessman, has been president of Carolina Investors since 1989, company records show. He was the company's executive vice president from 1974 through 1989 and vice president from 1970 to 1974.

Prior to 1970, he was a bank teller and bookkeeper with First National Bank in Easley from 1962-67 and a National Bank Examiner with the Treasury Department's Sixth Region in Atlanta from 1967-70. Owen also served as the South Carolina Wildlife Commissioner for the Third Congressional District.

He is married to Anne W. Owen, Carolina Investors' senior vice president for

investments since January 1999, company records show.

Carolina Investors sold uninsured securities — notes and subordinated debentures — to the public and turned the proceeds over to a mortgage business operated by its parent company, Columbia-based HomeGold Financial Inc. Both companies have filed for bankruptcy protection.

State Attorney General Henry McMaster began an investigation in late March after Pickens-based Carolina Investors failed to open its doors for business. Officials said the company did not have the cash to continue in business.

One week later, HomeGold Financial and HomeGold Inc., another subsidiary, filed for bankruptcy protection from creditors. It listed Carolina Investors as its principal creditor, due \$275 million of the \$282 million that HomeGold said it owed.

McMaster said last week the FBI and the Department of Justice's fraud unit have joined the investigation to help determine whether civil and criminal laws were broken.



He said the two agencies have joined a task force investigating approximately 8,000 investor accounts of Carolina Investors and HomeGold Financial's operations and finances.

Current and past officials of Carolina Investors, including Larry and Anne Owen, have been named as defendants in four investor lawsuits stemming from the company's closure.

The suits allege that Carolina Investors through its officers and directors are guilty of breach of fiduciary duty, negligence, deceptive trade practices, fraud or civil conspiracy in the handling of investors' accounts.

Carolina Investor officials have said they expect to be cleared of any wrongdoing.

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## State universities haven't changed admission policies over SARS worries

Posted Wednesday, May 7, 2003 - 6:33 pm

By Ron Barnett  
STAFF WRITER  
[rbarnett@greenvillenews.com](mailto:rbarnett@greenvillenews.com)

South Carolina universities are keeping a watchful eye on the spread of SARS but haven't decided whether to change their policies of admitting students from Asian countries where the disease is most prominent.

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The University of California at Berkeley is believed to be the first major U.S. university to have made such a move to prevent the spread of the virus. The university decided to turn away new summer school students who had been admitted from China, Taiwan, Singapore and Hong Kong, according to its Web site.

The university acted on advice from the California Department of Health Services, the city of Berkeley's public health officers, and federal guidelines.

South Carolina's Department of Health and Environmental Control has issued no warnings about Severe Acute Respiratory Syndrome, beyond the travel advisories of the federal Centers for Disease Control and Prevention, said DHEC spokesman Thom Berry.

"We haven't issued any guidance to schools," Berry said.

CDC has urged caution to travelers in China, Hong Kong and Taiwan. Singapore was lifted from the advisory list this week.

Charlie FitzSimons, a spokesman for the state Commission on Higher Education, said he hadn't heard of any of the state's colleges or universities changing their admissions policies because of SARS.

At Clemson, campus health officials are monitoring the situation and will meet later this month with student affairs, international and administrative personnel to develop a plan for fall semester, said Cathy Sams, university spokeswoman.

"We will assess what the potential dangers are and steps to take as people come back to school," she said.

International students at Clemson for the summer typically are already on campus, Sams said. However, many students travel abroad in the summer and return in the fall.



The University of South Carolina also is keeping tabs on SARS but has made no policy changes, spokesman Russ McKinney said.

"If we get guidance from CDC that they continue to have concerns about people coming to this country from certain countries then we may very well have to take some action between now and August," he said.

Most of USC's Asian students are in graduate school and were in the country for some time before the SARS epidemic began, McKinney said.

"It's not like we have an influx of brand new students coming in every year from China or Hong Kong or places like that," he said.

Yi Lan, a 28-year-old Clemson graduate student from China said he understands why it might be best not to allow students from certain countries.

"But from the Chinese students' point of view, it's very bad for them because they're going to waste another year to do applications and all kinds of stuff, and waste a year of life," he said.

No members of his family in Fujian province, which is not a highly infected area, have contracted the disease, but he is concerned for friends in Beijing and Hong Kong.

Bob Jones University also has made no decision about changing its admissions policy because of SARS, said spokesman Jonathan Pait. The university has accepted two students from Singapore and one from Hong Kong for fall admission, he said, and 16 students from the affected Asian countries are on campus now for summer sessions.

"It is still something that we're considering as time goes," Pait said.

The school also hasn't canceled a summer trip to China planned for a group of nursing students. The area where the students plan to go, Shanghai, hasn't been as affected by the disease, he said.

"It is something that's in the air and, yes, we definitely are concerned," he said. "But we are still hopeful that it will come about."

Furman University, however, has canceled a foreign study trip to China that normally involves 20 to 25 students, spokesman Vince Moore said.

Furman hadn't accepted any students from the countries on CDC's advisory list, although some students from Japan are expected in the fall, Moore said.

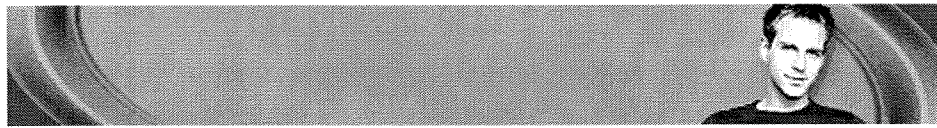
As of Wednesday, 6,903 cases of SARS had been reported worldwide, including 255 suspected and 65 probable cases in the United States. South Carolina has had two suspected cases.

*Clemson bureau reporter Anna Simon contributed to this story.*



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## Legislature elects Bob Peeler to Clemson board of trustees

Posted Wednesday, May 7, 2003 - 3:15 pm

By James T. Hammond  
STAFF WRITER  
COLUMBIA — The General Assembly elected former Lt. Gov. Bob Peeler to fill a vacancy on the Clemson University Board of Trustees Wednesday.

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Peeler, a Lexington County Republican, succeeds Allen P. Wood, who resigned, citing increased professional responsibilities. Peeler will serve the remainder of Wood's term through the end of June 2004.

Peeler served as lieutenant governor for eight years and sought the Republican nomination for governor last year. He was defeated in a Republican Party primary run-off by Mark Sanford, now governor.

Peeler also has served on the Cherokee County School Board, and on the state Board of Education.

He previously served as an executive with his family's Gaffney dairy company.

Following his election to the Clemson board, Peeler said he is excited about the opportunity "to be a board member South Carolina can be proud of."

"I love Clemson and I want to serve. I was raised to give back and I think this is a good way to do it," Peeler said.

Peeler, who is 51, received a B.A. degree from Limestone College in 1974, and received a B.S. degree from Clemson in 1991.

Nine candidates initially filed to run for the Clemson trustee's post, including: Peeler; former Clemson quarterback Rodney Williams; former state Rep. Bud Webb, R-Clemson; Greg Anderson of Edgefield; Al Berry of Little Mountain; Pat Black Jr. of Cameron; Vernon Merchant of Anderson; Keith Munson of Greenville; and Jack Shuler of Florence.

But on Wednesday, seven of the candidates had withdrawn, having counted commitments by lawmakers. Only Merchant remained a challenger to the former lieutenant governor when votes were counted in a joint assembly of the Legislature Wednesday.

Peeler received 153 votes, while Merchant received none. Peeler received 42 Senate votes. Four senators did not vote. And Peeler received 111 House votes. Thirteen House members did not vote.

Merchant, a 1951 Clemson graduate, is a retired surgeon.

Six members of Clemson's 13-member board are elected by the Legislature. The other seven are life members.

In other elections Wednesday, Dr. John H. Corbitt of Greenville was elected to represent the Fourth Congressional District on the board of South Carolina State University.

Eugene P. Warr Jr. of Lamar was elected to the University of South Carolina board



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Posted on Thu, May. 08, 2003

## Number of S.C. officers killed in line of duty in 2002 ties record

10 are honored at annual police memorial, along with 82 who perished from natural causes

By RICK BRUNDRETT  
Staff Writer

Five police officers were shot to death. Three were killed while helping stranded motorists. Two others died in crashes.

Last year's death toll of 10 tied the record for the number of South Carolina officers killed in the line of duty in a year. The last time 10 officers died on duty was in 1992, state records show.

The lives of those killed in 2002 were honored Wednesday during the annual South Carolina Police Memorial at the state Criminal Justice Academy on Broad River Road. About 500 relatives, friends, colleagues and law enforcement officials attended.

In addition to the 10 officers killed in the line of duty, another 82 local, state and federal officers who died of natural causes were honored.

Gov. Mark Sanford declared Wednesday South Carolina Law Enforcement Memorial Day.

Attendees at Wednesday's hourlong service quietly wiped tears from their eyes as the names of the deceased were slowly read, and later when "Taps" was played. Officers representing departments across the state wore black bands across their badges.

"Your loved one's life was given; it was not taken," Tom Patterson, the Rock Hill Police Department chaplain, told the attendees. "Your loved ones gave their lives for us."

Patterson described last year as a "tough and difficult year" for South Carolina's law enforcement community, which he said suffered the "stark reality of seemingly premature death in the line of duty."

Alisa Mosley, executive director of the S.C. Law Enforcement Officers Association, presided over the memorial and said 2002 was the "deadliest year for South Carolina officers in recent history."

Last year's tally was more than the combined total of line-of-duty deaths for the previous three years, Mosley said afterward, citing statistics from the state Law Enforcement Officers Hall of Fame. In 2001, one officer died while on duty.

Before last year and 1992, the greatest number of on-duty deaths in a year was eight in 1970, Mosley said.

Last year's on-duty deaths occurred mainly in the Lowcountry and Pee Dee. Six of the deaths were in January or November.

"My comment to young troopers is, 'I've seen this too many times,'" S.C. Highway Patrol Lt. Col. Russell Roark said during the service. "We realize there's an inherent danger to being in law enforcement."



## Navy base offices may be for rent

### North Charleston may offer monthly leases

BY JAMES SCOTT

Of The Post and Courier Staff

North Charleston is looking to rent office space at the former Charleston Naval Base while it waits for the federal government's approval to sell land to the Noisette Co. for its ambitious redevelopment project on the city's south side.

The city, which has title to about 250 acres of office, residential and warehouse space, much of it earmarked for Noisette, is looking at month-to-month leases that the mayor can sign on behalf of the city and terminate in 30 days.

Mayor Keith Summey, who is proposing the idea to City Council this week with a final vote expected later in the month, said the leases wouldn't generate much money but would provide some to cover unexpected maintenance, repairs and other things at the base.

"It's not a cash cow," Summey said Wednesday. "We could generate some temporary cash."

While no one has requested rental space at the base, Summey said he has had several inquiries from people who might be willing to set up temporary shop. He added that office rentals would go for about \$15 a square foot or market rate. For businesses looking for more long-term leases, Summey said he would involve Noisette officials and City Council members in discussions.

Several businesses already operate at the base, ranging from Neal Brothers import-export-packing company to Charleston Marine Containers Inc. Those companies and others, which Summey said generate about \$60,000 a month in rent, originally had their leases through the Charleston Naval Complex Redevelopment Authority, a state agency that historically has controlled much of the land at the base.

Those leases, and the rent from them, transferred to North Charleston as part of the deal brokered by the state Legislature last year to divide the roughly 1,600-acre base between the city and the State Ports Authority. City leaders expect the rent from existing tenants to cover most expenses associated with maintenance, utilities and upkeep.

Mayor Pro Tem Kurt Taylor, whose district includes the base, said he thought it was a good idea to move forward and get short-term tenants while the city wades through the bureaucratic process with the federal government aimed at

selling the land to Noisette.

Noisette is planning a 20-year redevelopment of about 300 acres on the base plus renewed public development for the surrounding 2,700 acres.

The city, which plans to sell roughly 300 acres on the northern tip of the base to Noisette as soon as possible, is wrangling with the U.S. Economic Development Administration over selling the land without having to reimburse the government for grant money pumped into the base in recent years for repairs.

Officials with the EDA, which has spent about \$4 million at the base, have said the city or Noisette could have to cough up about \$1.8 million if an agreement is not reached. All three agencies are working to resolve the dilemma.

"Every little bit helps," Taylor said of the money that could be generated. "There are a lot of needs out there."

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Posted on Thu, May. 08, 2003

## Fort Mill area store sells \$88 million Powerball ticket

Associated Press

**COLUMBIA, S.C.** - A store near Fort Mill has sold South Carolina's first ever winning Powerball ticket, Education Lottery spokeswoman Tara Robertson says.

The ticket is worth \$88.7 million if paid out over 30 years, or \$48.8 million if paid out in a lump sum. The winning numbers drawn Wednesday night were 13-18-34-35-51 and the Powerball was 28.

Lottery officials may not know exactly what store sold the winning ticket until Thursday morning, Robertson said.

"All we know is it was sold in the Fort Mill area," Robertson said.

The town sits just south of Charlotte, N.C., and has the state's top five lottery outlets.

The store that sold the ticket will get a \$50,000 bonus, Robertson said.

South Carolina started selling Powerball tickets seven months ago, and Robertson said lottery officials were pleased and surprised to have a big winner so early.

"I am just overjoyed and I'm not even the person holding the ticket," she said.

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Posted on Thu, May. 08, 2003

## Outlook improving for blue crab harvest

The Associated Press  
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**Charleston** Following poor harvests the last few years, South Carolina's blue crab fishery seems to be rebounding.

"It looks much better than last year," state senior marine biologist Elizabeth Wenner said this week after cruising area waters and taking samples of blue crabs.

In the next few weeks, sponge crabs should be laying eggs, said biologist Larry DeLancey, pointing to crabs bearing orange sponges, or masses of eggs.

"We caught them consistently today," he said. We didn't see many last year."

During last year's entire survey, only two or three crabs were found in estuaries, DeLancey said. Earlier this week, scientists caught 10 in a single 15-minute drag.

"That bodes well for next year's harvest," said Wenner, who heads the crustacean research section for the state Department of Natural Resources.

Eggs laid early produce crabs large enough to harvest this fall, while the rest will grow big enough to take next year. Already, commercial crabbers are reporting a good run on peeler crabs, sold as soft-shell crabs, and mature females, called sooks, Wenner said.

"Right now, we are cautiously optimistic," Wenner said.

While it appears next year's harvest will be good, the outlook for this fall is not as optimistic.

Much of the fall harvest will come from eggs laid during the recent drought when salinity in the water was high.

Nearly 4.2 million pounds of crab were caught last year, down from 7.4 million caught before the drought set in during 1999.

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